

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

RED BARN MOTORS, INC., PLATINUM )  
MOTORS, INC., and MATTINGLY AUTO )  
SALES, INC., individually and on behalf of )  
other members of the general public similarly )  
situated, )

Plaintiffs, )

v. )

COX ENTERPRISES, INC., COX )  
AUTOMOTIVE, INC., NEXTGEAR CAPITAL, )  
INC. F/K/A DEALER SERVICES )  
CORPORATION, successor by merger with )  
Manheim Automotive Financial Services, Inc., )  
and JOHN WICK, )

Defendants. )

Case No. 1:14-cv-01589-TWP-DKL

**ORDER GRANTING MOTION TO VACATE TRIAL DATE AND AMEND CASE  
MANAGEMENT PLAN**

The Court having read and considered Defendants' Motion to Vacate Trial Date and Amend Case Management Plan, and for good cause shown, it is hereby ORDERED:

1. Dispositive motions and/or responsive pleadings shall be due within thirty (30) days after an Order is entered on Defendants' Motion to Dismiss.
2. The trial date of May 8, 2017 is vacated.
3. Trial will begin on \_\_\_\_\_, 2017 and is anticipated to take 10 days. The trial will be held before the Court and without a jury.
4. Deadlines for expert discovery shall remain as stated in paragraphs III.F and IV.B of the Case Management Plan [Doc. 144].

5. Any party who wishes to limit or preclude expert testimony at trial shall file any such objections no later than \_\_\_\_\_ *[five weeks before pre-trial conference]*.

6. All parties shall file and serve their final witness and exhibit lists on or before \_\_\_\_\_ *[four weeks before pre-trial conference]*. This list should reflect the specific potential witnesses the party may call at trial. It is not sufficient for a party to simply incorporate by reference “any witness listed in discovery” or such general statements. The list of final witnesses shall include a brief synopsis of the expected testimony and counsel’s certification that the witness has been interviewed and/or deposed.

7. The final pre-trial conference shall be held on \_\_\_\_\_ *[three weeks before trial]*. The deadlines for required pre-trial preparation shall remain as stated in paragraph VIII of the Case Management Plan [Doc. 144].

SO ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_.

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HON. TANYA WALTON PRATT  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA

Service of the foregoing Order will be made electronically on all ECF-registered counsel of record via email generated by the Court’s ECF system.